

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT WINCHESTER

CHRISTOPHER D. GRAHAM,

Plaintiff,

v.

4:09-cv-61

VAN BUREN COUNTY JAIL, et al.,

Defendants.

MEMORANDUM

On June 4, 2009, the court granted plaintiff's request to file this action without prepayment of fees. Plaintiff's copy of that order, which was mailed to him at his last known address of Van Buren County Jail, was returned undelivered on June 16, 2009, with the notation "Return to Sender Not Deliverable As Addressed." Plaintiff bears the burden of prosecuting his action, which includes informing the court of his correct mailing address, and he has not done so. Accordingly, this action will be **DISMISSED WITH PREJUDICE**, *sua sponte*, for failure to prosecute. Fed. R. Civ. P. 41(b); *Jourdan v. Jabe*, 951 F.2d 108 (6th Cir. 1991). The court will **CERTIFY** that any appeal from this action would not be taken in good faith and would be totally frivolous. *See* Fed. R. App. P. 24.

AN APPROPRIATE ORDER WILL ENTER.

/s/Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE